

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of November, 2004, the foregoing Memorandum of Third-Party Defendant American Bureau of Shipping's In Opposition to Tate & Lyle's Motion For Sanctions For Spoliation Of Evidence And For FRCP 37 (c) Sanctions For Failure To Disclose was served on certain counsel of record by way of the court's electronic filing system and was mailed to all other counsel of record below:

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I hereby affirm under the penalty of perjury that the foregoing statements are true and correct.

_____/s/_____
Robert G. Clyne